

**AUG 24 2006**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

RONALD W. FORBES,

Plaintiff - Appellant,

v.

STATE OF CALIFORNIA,

Defendant - Appellee.

No. 05-17373

D.C. No. CV-05-02122-GEB

MEMORANDUM\*

Appeal from the United States District Court  
for the Eastern District of California  
Garland E. Burrell, District Judge, Presiding

Submitted August 21, 2006\*\*

Before: GOODWIN, REINHARDT, and BEA, Circuit Judges.

Ronald W. Forbes appeals pro se the district court's order dismissing for lack of subject matter jurisdiction a filing styled by Forbes as a "Notice of Removal Jurisdiction" and construed by the district court as a complaint. As the

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\* This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

\*\* This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

district court observed, the Notice appears to concern a traffic citation issued to Forbes by the California Highway Patrol for driving with expired vehicle registration and failing to have proof of insurance. We affirm the dismissal because the Notice, to the extent it is decipherable, has no arguable basis in law or fact, is wholly insubstantial, and contains no discernible prayer for relief. *See Franklin v. Murphy*, 745 F.2d 1221, 1227 n.6 (9th Cir. 1984) (“A paid complaint that is ‘obviously frivolous’ does not confer federal subject matter jurisdiction, *Hagans v. Lavine*, 415 U.S. 528, 536-37, 94 S.Ct. 1372, 1378-79, 39 L.Ed.2d 577 (1974), and may be dismissed sua sponte before service of process.”).

Forbes’ contentions on appeal, including that the district court discriminated against him as a member of the military service, are unsupported by the record.

**AFFIRMED.**